EXHIBIT I

TDX CONSTRUCTION CORPORATION

121 West 27th Street
New York, N.Y. 10001
(212) 807-1414
FAX: (212) 807-1421

Baruch College Field Office
137 East 25th Street
New York, N.Y. 10010
(212) 679-0031

November 3, 1998

Kohn Pedersen Fox
111 West 57th Street
New York, NY 10019

Attn: Chris Stoddard

Re: Baruch College - Site - B
Contract #9 - S.S. - Concrete

Gentlemen:

We are enclosing, for your records, a copy of the October 7, 1998 letter from Shroid Construction which was previously transmitted to you at the October 14, 1998 Team Meeting and discussed at that time.

We have checked the level of the finished floors referenced in the contractors correspondence and have reached similar conclusions.

- Finished floor heights remain as much as 2" high in the vicinity of the trusses.
- Deflections of intermediate floor beam members has resulted in "dips" and "birdbaths" in finished floors.

As discussed and agreed to at the October 14, 1998 team meeting, no action will be taken at this time with regard to leveling of the floor finish. These conditions will be reviewed at a later date and evaluations made as to areas which will require remedial action.

Very truly yours,
TDX Construction Corporation

John J. McCullough, P.E.
Project Manager

JJM/amo
Encl.

cc: Nick D'Ambrosio
Lloyd Sigal (KPF)
File 2.3B

Ltr SS Concrete 11-3-98

FAX: (212) 679-0037

SHROID CONSTRUCTION INC.
GENERAL CONTRACTORS

46-10 11th Street, Long Island City, NY 11101
(718) 482-0040 • Fax (718) 482-8640

T.D.X. Construction Corporation
137 East 25th Street
New York, New York 10010

October 7th, 1998

Attn: Mr. John McCullough

Re: Baruch College Site "B"
Contract #9- Superstructure Concrete
Pinning of concrete decks.

Dear Mr. McCullough,

This past July when we initially surveyed the 2nd floor decks in preparation for pouring concrete, we brought to your attention that the camber in the structural steel and decking would interfere with the designed thicknesses of the slabs. It was demonstrated to you that the camber would be in excess of 2 1\2 inches in many locations and that the top of the shear studs would likely protrude through the top of the finished concrete. Subsequently we were directed by your office to maintain the thickness of the decks and to do so by "pinning" the decks. While "pinning" is accurate in giving the designed thickness of the slab, it will greatly alter the floor flatness and floor levels and consequently compromise the ACI tolerances as defined in the specifications.

The design intent of the beams and trusses was that they would deflect under the liveload of the weight of manpower and materials during the pouring of the concrete and that the camber would come true. In good faith, Shroid Construction proceeded under this assumption and fully expected to produce tolerances that fell within the guidelines of the ACI tolerances.

To date we have poured thru the 8th floor with very little of the camber coming through resulting in inconsistencies in floor flatness. Consequently we have directed a licensed surveyor to survey two of the floors completed to date using the benchmark established for the project and with a grid spacing of five feet in each direction.

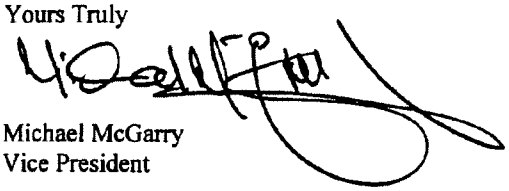
In reviewing the survey of the 2nd and 6th floors we found that the finished concrete is not meeting the flatness or level that is required in the contract specifications. The conceivable reasons for this are as follows:

1. The camber in the beams and trusses after loading has not deflected as designed.
2. Pinning a deck cannot give an accurate benchmark to maintain floor flatness and/or level.
3. Deflection of the metal deck from moment loads while pouring is inconsistent.

During discussions regarding this issue, you stated that the decks will need to be signed off by the next trade. We in fact know that these decks do not meet ACI tolerances. We can only assume that they will not meet other trades requirements either.

We have exhausted all efforts to attempt to provide the ACI tolerances as per the specifications. We have no control over the unpredictable reactions of the steel camber, which has a direct consequence to our ability to provide the required tolerances. Therefore, Shroid Construction cannot be held liable now or in the future for the performance of other trades which is directly impacted by this problem.

Yours Truly



Michael McGarry
Vice President

CC: Paschal McKiernan
Edward Lednyak
Thomas Kertesz
Frank Grey